

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014110450

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On November 10, 2014, Parent on behalf of Student filed a Due Process Hearing Request (complaint), naming the San Diego Unified School District as respondent. On December 4, 2014, Student filed a pleading entitled Amendment for Request Already Filed (amended complaint). In this pleading, Student seeks to amend the four issues pled in the complaint to state six issues. Thus, Student's Amendment for Request amounts to a request to file an amended complaint.

No opposition was received from San Diego.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.

deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: December 12, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings